

**MAINE EMS  
INVESTIGATIONS COMMITTEE MEETING  
THURSDAY, AUGUST 17, 2006  
DE CHAMPLAIN CONFERENCE ROOM, AUGUSTA  
RATIFIED BY THE MAINE EMS BOARD – SEPTEMBER 6, 2006**

**MEETING MINUTES**

**Present:** Carol Pillsbury, Rick Doughty, Steve Leach

**Staff:** Dawn Kinney

**AAG:** Laura Yustak Smith

**Guest:** Karen Packard

**1. Call To Order:** The meeting was called to order at 10:00 a.m.

Karen Packard was introduced to the committee members. Karen will be assisting MEMS staff with investigations. Karen is also an Investigator for the Board of Dental Examiners.

**2. Investigations – Executive Session**

The committee entered executive session for the purpose of conducting an informal conference with the subject of case 06-10.

***Motion:** To enter executive session pursuant to 32 M.R.S.A. §90.A.3, §92.3 and 1 M.R.S.A. §405(6)(F) for the purpose of conducting an informal conference concerning case 06-10 and 1 M.R.S.A. §405(6)(E) for receiving legal advice on the aforementioned case. (Leach; Doughty; - motion carries)*

The committee entered executive session at 10:15 a.m. and exited at 11:15 a.m.

***Motion:** That subject of case 06-10, engaged in conduct that constitutes a violation of Maine EMS Rules, Chapter 11§1.4 – Any criminal conviction, subject to the limitations of Maine statute 90 – A(5)(G) and Chapter 11§1.14 – Violation of any standard established in the profession; that the violation is based upon, Licensee indicating on the employment verification system form I-9, that he was a citizen or national of the United States, when in fact the Licensee was not a citizen or national of the United States; that mitigating circumstances exist in that the Licensee has 10 letters of recommendation two of which are from Emergency Room Physicians and other EMS Healthcare Professionals, which addressed his conviction as well as his professional status in the community; Licensee had no quality assurance or patient care issues; Licensee conviction did no harm to anyone, Licensee is currently married and is going through the Immigration process to become a national; and that Licensee had received legal advice that what he did was the right thing for his situation. Therefore, the committee directs that this matter be resolved through a Letter of Guidance to Licensee that will be retained in Licensee's file for a period of 5 years (Leach; Pillsbury – motion carries 2-1-0, Doughty opposed).*

The committee entered executive session for the purpose of conducting an informal conference with the subject of case 06-12.

***Motion: To enter executive session pursuant to 32 M.R.S.A. §90.A.3, §92.3 and 1 M.R.S.A. §405(6)(F) for the purpose of conducting an informal conference concerning case 06-12 and 1 M.R.S.A. §405(6)(E) for receiving legal advice on the aforementioned case. (Leach; Doughty - motion carries)***

The committee entered executive session at 11:30 a.m. and exited at 12:30 p.m.

***Motion: That subject of case 06-12, engaged in conduct that constitutes a violation of Maine EMS Rules, Chapter 11§1.3 – Violating any of the provisions of 32 M.R.S.A., Chapter 2-B §82.1 and Chapter 11§1.30 - Providing treatment at a level for which a person is not licensed or for which a service is not licensed or permitted; that the violation is based upon Licensee providing treatment to patients without a Maine EMS EMT-B license during a period from March 1, 2006 to April 28, 2006; that aggravating circumstances are that Licensee knowingly practiced patient care in March and April 2006; and that Licensee did not disclose to the MEMS Board that his license had expired. Therefore, the committee directs that this matter be resolved through a Consent Agreement to include a \$300.00 fine based upon the number of calls during March and April 2006 that the Licensee responded, to be paid within 90 days of execution of consent agreement, and a reprimand. (Doughty; Leach – motion carries)***

### **Next Meeting**

The next meeting is scheduled for Thursday, September 21, 2006 at 9:30 a.m.

**3. Adjourn** – The meeting was adjourned at 12:45 p.m.

Respectfully submitted,

Dawn Kinney, EMT-P